

**THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appln No.: 10/763,914

**Confirmation No. 7832**

Filed: January 23, 2004

Applicants: Andrew HALLIDAY et al.

Title: CARTRIDGE FOR THE  
PREPARATION OF BEVERAGES

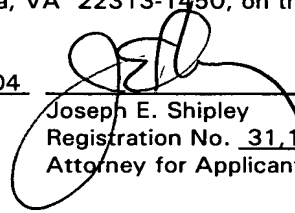
Art Unit: 1761

Examiner: Milton I. CANO

**CERTIFICATE OF MAILING**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this date.

9/10/2004  
Date

  
Joseph E. Shipley  
Registration No. 31,137  
Attorney for Applicant(s)

Attorney Docket No.: 67627

Customer No.: 22242

Mail Stop PETITION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**PETITION TO ACCEPT AN UNINTENTIONALLY DELAYED CLAIM  
FOR THE BENEFIT OF AN EARLIER FILING DATE**

Sir:

Applicants hereby petition under 37 C.F.R. § 1.78(a)(3) for the acceptance of an unintentionally delayed claim for the benefit of an earlier filing date under 35 U.S.C. § 120 for the above-referenced application.

As required by 37 C.F.R. § 1.78(a)(3)(i), the above-referenced application is being amended by preliminary amendment, filed concurrently with this petition, to provide the reference required by 35 U.S.C. § 120 and 37 C.F.R. § 1.78(a)(1). Applicants request acceptance of a claim to priority from U.S. Patent Application No. 10/216,157, now U.S. Patent No. 6,698,333, which was filed on August 8, 2002

Andrew Halliday et al.  
Application No. 10/763,914  
PETITION TO ACCEPT AN UNINTENTIONALLY DELAYED CLAIM  
FOR THE BENEFIT OF AN EARLIER FILING DATE

and issued on March 2, 2004. The preliminary amendment is attached to this petition.

The entire delay between May 23, 2004, the date that the claim for priority was due under 37 C.F.R. § 1.78(a)(2)(ii), and the filing of this petition was unintentional.

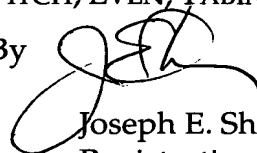
The Commissioner is authorized to charge Deposit Account No. 06-1135 in the amount of \$1,330.00 to cover the fee required by 37 C.F.R. § 1.78(a)(3)(ii) and set forth in 37 C.F.R. § 1.17(t) for the acceptance for an unintentionally delayed claim for priority. A duplicate copy of this Petition is enclosed herewith.

The Commissioner is hereby authorized to charge any additional fees which may be required with respect to this application or credit any overpayment to Deposit Account No. 06-1135.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

By



Joseph E. Shipley  
Registration No. 31,137

September 10, 2004

120 South LaSalle Street, Suite 1600  
Chicago, Illinois 60603-3406  
(312) 577-7000